

# **Utah Domestic Violence Related Deaths 2005**

## **An Ongoing Public Information Report of the Utah Domestic Violence Council**



This report has been reviewed and approved for public distribution by the Utah Domestic Violence Council. Any printed or broadcast use of information from this report must include the following statement:

“The Utah Domestic Violence Council compiles and continually updates information on domestic violence related deaths from public sources statewide. To be listed in this report, case specific information must demonstrate a correlation between domestic violence and the death of the victim as demonstrated by corroborating public information. These troubling statistics document, in summary form, the broad scope and tragic impact of domestic violence in Utah. From public information available, each listed death shows domestic violence<sup>1</sup> between 1) cohabitants,<sup>2</sup> 2) persons in dating relationships and 3) family members not defined within the cohabitant statute.

DATE OF DEATH	NAME, AGE, SITUATION, RELATIONSHIP	PLACE OF DEATH
January 2, 2005 #1	<p><b>Theresa Marie Harris, Age 43, Cohabitant Homicide</b></p> <p>Theresa Marie was shot and killed by her ex-husband, Hector Leiva-Fuentes in the front yard of their home. The perpetrator then shot and killed himself — all only feet away from three of their children. Theresa Marie had gone to her former husband's house to take groceries to their 17 year old son, who was sick. The son lived with his father. According to Capt. Steve Sandquist of the West Valley City Police Department, Theresa Marie was unloading the groceries from her van when Leiva-Fuentes confronted her and began arguing. With two of their daughters, ages 9 and 12, sitting in the back seat just a few feet away, Leiva-Fuentes pulled out a five-shot revolver and shot his former wife twice in the head and twice in the chest before fatally shooting himself. Theresa Marie was divorced from her killer on December 14, 2004, after which she married her surviving husband on December 21, 2004. In June of 2004, Theresa Marie had obtained a protective order against Leiva-Fuentes following earlier alleged death threats against her and her children.</p> <p><i>Sources: KSL.com, January 2, 2005; Deseret Morning News, January 2 and 5, 2005; Salt Lake Tribune, January 5, 2005.</i></p>	West Valley City, Salt Lake County, Utah
January 2, 2005 #2	<p><b>Hector Leiva-Fuentes, Age 49, Perpetrator Suicide</b></p> <p>See the preceding entry.</p>	West Valley City, Salt Lake County, Utah
February 13, 2005 #3	<p><b>Brea Lynn Kirchoff, Age 26, Dating Relationship Homicide</b></p> <p>In front of her three young children and her 13 year old brother, Brea was shot and killed by her ex-boyfriend, Floyd Corry Robinson. Emergency responders transported Brea to the hospital where she was declared dead. The Washington County Attorney's Office has charged Robinson with Aggravated Murder, a capital offense, Aggravated Kidnapping and Aggravated Robbery, both first degree felonies, and third degree felony Child Abuse. Robinson is scheduled to go to trial in the Fifth Judicial District Court in July of 2006.</p> <p><i>Sources: The Spectrum, February 15 and 18, 2005; Deseret Morning News, February 16, 2005, January 2, 2006; Salt Lake Tribune, February 28, 2005; Radio.KSL.com, May 26, 2005.</i></p>	La Verkin, Washington County, Utah
February 19, 2005 #4	<p><b>Fernando Barraza, Age 20, Domestic Violence Related Homicide</b></p> <p>Jamie Valasco, who, according to Provo City Police, was upset that his three-year stormy marriage was headed for divorce, seriously injured his estranged wife, Laura Roholt, and fatally stabbed Fernando Barraza, her male friend. Laura and Fernando, together with Laura's two children, an 8 month old boy and a 2 year old girl, arrived at her home in southwest Provo, whereupon they were accosted by Valasco. During an argument with Laura, Valasco pulled a knife. He first stabbed Laura but she was able to get back into the car and lock the door. When Fernando attempted to help Laura, Valasco fatally stabbed him. Valasco then turned the knife on himself, puncturing one of his lungs, after which he drove himself to the Provo Police Department where he was arrested then taken to a hospital. The Utah County Attorney's Office charged Valasco with Aggravated Murder, a capital felony. On February 10, 2006, Valasco plead guilty to amended charges of Murder, a felony of the first degree, Attempted Aggravated Murder, a felony of the first degree and two counts of Domestic Violence in the Presence of a Child, felonies of the third degree. The charge of Aggravated Murder was dropped with the concurrence of the victim's family. On March 28, 2006, Valasco was sentenced by the Fourth Judicial District Court to serve two terms of five years to life in the Utah State Prison.</p> <p><i>Sources: Deseret Morning News, February 20, 2005 and February 12, 2006; Salt Lake Tribune, March 10, 2005 &amp; March 29, 2006.</i></p>	Provo, Utah County, Utah

April 15, 2005 #5	<p><b>Johanna McCann, Age 38, Cohabitant Homicide</b></p> <p>Johanna had only lived with Joseph Weatherspoon for four months when something went terribly wrong. Early on April 16<sup>th</sup>, fishermen found Johanna's body, wrapped in a plastic bag, near Pineview Reservoir. Following an investigation, Ogden Police determined that 51 year old Weatherspoon had allegedly used a knife to kill Johanna during an argument. He then wrapped her body in the plastic bag and dumped it near the reservoir. The Weber County Attorney's Office charged Weatherspoon with Murder, a first degree felony. On February 7, 2006, Weatherspoon entered a plea of guilty to that charge in the Second Judicial District Court. On April 6, 2006, Weatherspoon was sentenced to serve a term of six years to life in the Utah State Prison.</p> <p><i>Sources: Deseret Morning News, April 18 and 20, 2005, February 8, 2006 and April 7, 2006; Salt Lake Tribune, April 18 and 20, 2005.</i></p>	Ogden, Weber County, Utah
April 15, 2005 #6	<p><b>Jeffrey Jones, Age 33, Cohabitant Suicide</b></p> <p>Just prior to midnight on April 15<sup>th</sup>, Blanding City Police responded to an emergency call; a man having reportedly threatened to shoot his wife. Upon arrival at the residence police found Sheila Jones in the yard. She reported that her husband, Jeffrey Jones, was in the residence and that he had shot himself following an argument between the two of them. Sheila had wrestled one rifle from her husband but he then took another weapon, which she believed to be unusable, and locked himself in a bedroom. Upon entering the residence, police found Jeffrey Jones dead from a self inflicted gunshot wound. Several of the couple's children were at the home when the argument and shooting occurred.</p> <p><i>Sources: Blue Mountain Panorama, April 20, 2005; Blanding City Police Department; San Juan County Sheriff's Department.</i></p>	Blanding, San Juan County, Utah
May 10, 2005 #7	<p><b>Laurel Quibell, Age 59, Cohabitant Homicide</b></p> <p>Laurel was fatally shot by her former husband, Lyle Kilpatrick. The shooting followed a court hearing on May 10<sup>th</sup>, in which the court had ruled against Kilpatrick in relation to a dispute over unpaid alimony. Court records show a history of domestic violence between the two. Prior to the killing, the victim had told neighbors that her former husband had been "very abusive" during their 40+ year marriage. During the afternoon hours of May 10<sup>th</sup>, Kilpatrick entered his former wife's house and killed Laurel in the basement. A 16 year old grandson was in the yard at the time but was unaware of what had taken place in the house. Following the killing, Kilpatrick called his son and told him he had just killed his mother, that the son had better go to the house and pick up the grandson and that he, Kilpatrick, was going to kill himself. The son called 911 and police responded to Kilpatrick's place of residence. When police arrived they could see him standing in the yard but, when they approached, before they could say anything to him, he killed himself with a handgun.</p> <p><i>Sources: Deseret Morning News, May 11, 2005; Salt Lake Tribune, May 11 and 12, 2005.</i></p>	West Valley City, Salt Lake County, Utah
May 10, 2005 #8	<p><b>Lyle Kilpatrick, Age 62, Perpetrator Suicide</b></p> <p>See the preceding entry.</p>	Salt Lake City, Salt Lake County, Utah

<p>May 16, 2005 #9</p>	<p><b>Lindsay Fawson, Age 22, Dating Relationship Homicide</b></p> <p>Lindsay was shot to death in front of her child and her sister outside a home in Draper. She arrived by automobile at a friend's residence just after 7:00 p.m. There she was confronted by Juan Carlos Diaz-Arevalo, an ex-boyfriend of four months. They argued, apparently over ownership of personal property, then Diaz-Arevalo shot Lindsay in the head with a sawed-off shotgun. Lindsay's younger sister and her son were in the car at the time of the shooting. Diaz-Arevalo has an extensive criminal history. He is an illegal alien who was wanted by the Bureau of Immigration and Customs for aggravated re-entry into the United States after having been once before deported. Has was arrested the day after the killing and has been charged by the Salt Lake District Attorney's Office with Murder, a first degree felony; possession of a firearm by a restricted person, a second degree felony; domestic violence in the presence of a child and possession of a controlled substance. On May 15, 2006, Diaz-Arevalo entered pleas of guilty in the Third Judicial District Court to the charges of Murder, possession of a firearm by a restricted person and domestic violence in the presence of a child. In return for the guilty pleas, the drug charge was dismissed. The United States Attorney also agreed not to prosecute him for illegal re-entry to the United States and a weapons charge. Diaz-Arevalo, who faces up to life in prison, is scheduled to be sentenced on August 7, 2006.</p> <p><i>Sources: Deseret Morning News, May 17 and 18, 2005; Salt Lake Tribune, May 17, 18 and 25 and October 22, 2005 and May 16, 2006.</i></p>	<p>Draper, Salt Lake County, Utah</p>
<p>June 1, 2005 #10</p>	<p><b>Lukasz Drej, Age 25, Cohabitant homicide</b></p> <p>Lukasz Drej was allegedly fatally shot by his brother, 31 year old Eryc Drej, in the yard of the residence they shared with their mother and sister. When police arrived they found the older Drej standing in the front yard of the residence carrying three firearms. Police were able to subdue him without further violence. They then found Lukasz's body in the back yard. Police report no evidence of mutual deadly threats nor of a gun fight between the brothers. Neither brother has any criminal history. Police and neighbors are at a loss as to a motive for the killing. According to court documents, Drej told police he killed his brother to prevent him from killing an unknown female and selling her organs on the black market. Drej has been charged with Murder, a felony of the first degree. Initially he was found to be incompetent to stand trial but, following court ordered treatment, the Fourth Judicial District Court found that Drej's competence had been restored. Following a preliminary hearing held on June 20, 2006, Drej was bound over to stand trial in the Fourth Judicial District Court on the charge of first degree felony Murder. Trial in the case is pending.</p> <p><i>Sources: KSL.com, June 2, 2005; Deseret Morning News, June 3, 11, 18 and 22, 2005, January 2 and June 21, 2006; Salt Lake Tribune, June 2 and 3, 2005; Utah County Attorney's Office.</i></p>	<p>American Fork, Utah County, Utah</p>
<p>June 4, 2005 #11</p>	<p><b>Joann Kirkham, Age 72, Cohabitant homicide</b></p> <p>Joann was found dead in her home on Sunday, June 5<sup>th</sup>, the apparent victim of blunt force trauma. Her son, Matthew Kirkham, allegedly struck her in the head with a rock and forced her to breath paint from a bag until she was dead. Joann had shared her residence with her son. Kirkham allegedly told police that he had killed his mother because she was going to kick him out of her home. After Joann was dead, Kirkham also allegedly fractured Joann's ribs and severed her spinal cord. Family members and neighbors say Kirkham suffers from schizophrenia. Kirkham has been charged by the Salt Lake District Attorney's Office with Murder, a felony of the first degree, and Desecration of a Human Corpse, a felony of the third degree. Trial is scheduled to begin on June 7, 2006 in the Third Judicial District Court.</p> <p><i>Sources: KSL.com, June 6, 2005; Deseret Morning News, June 7 and 10, 2005, January 2, 2006; Salt Lake Tribune, June 10, 2005 and April 18, 2006.</i></p>	<p>Kearns, Salt Lake County, Utah</p>

June 10, 2005 #12	<p><b>Norma Hernandez Espinoza, Age 25, Domestic Violence Related Homicide</b></p> <p>Police allege Trey Holloway Brown fatally stabbed Norma several times in her left arm and torso following an argument between Brown and his estranged wife. The argument was about the couple's three children. Norma – who was having a romantic relationship with Brown's wife – apparently intervened on the wife's behalf during the heated argument. The argument started in an apartment where the wife and children live and where Norma was visiting when Brown arrived. When Norma intervened, Brown grabbed a knife and chased Norma into an adjacent parking lot, where he allegedly killed her. Neighbors reported trying to stop the attack but said Brown broke away and continued the assault, kicking Norma's face and jumping up and down on her chest. Brown has been charged with Murder, a felony of the first degree, by the Salt Lake District Attorney's Office. Trial is scheduled to begin on August 24, 2006, in the Third Judicial District Court.</p> <p><i>Sources: KUTV.com, June 10, 2005; Deseret Morning News, June 11 and 15, 2005; Salt Lake Tribune, June 11 and 18 and November 22, 2005.</i></p>	West Valley City, Salt Lake County, Utah
June 12, 2005 #13	<p><b>Garth McClure, Age 46, Perpetrator Suicide</b></p> <p>Carrie McClure was flown to University Hospital after her estranged husband, Garth McClure, rammed her car off the road, shot her three times in the torso and then turned the gun on himself. The couple's 8 year old daughter, who was in the rear seat of Carrie's automobile when the shooting occurred, called 911. Three weeks earlier, according to court documents, McClure had allegedly slapped Carrie on the side of the head, shoved her into a wall and dragged her down a hallway of their home. He then allegedly raped her on their garage floor. "I'm going to rape you to show you the evil man that you think I am," he said, according to a petition for a protective order filed by Carrie on May 26, 2005. As Carrie was being assaulted on that occasion, her 10-year-old son from another marriage was present and called 911. Carrie had filed for divorce from McClure on June 6<sup>th</sup>. At the time of the shooting, McClure faced charges of rape, forcible sexual abuse and assault filed against him by the Salt Lake District Attorney's Office. Court records show McClure had a long history of domestic violence. Carrie is recovering from her wounds.</p> <p><i>Sources: KSL.com, June 13, 2005; Deseret Morning News, June 14 and 15, 2005; Salt Lake Tribune, June 14 and 15, 2005.</i></p>	Salt Lake County, Utah
June 16, 2005 #14	<p><b>Jacqueline Villoto, Age 34, Cohabitant Homicide</b></p> <p>Jacquelyn Villoto was killed by her common-law husband, Jairo Ortega, 46, after which he fatally shot himself in the head, according to Salt Lake County Sheriff's deputies. A preliminary autopsy report showed that Jacquelyn was stabbed multiple times in the front and back and was shot once in the back. Jacquelyn's three sons, ages 12 - 15, were the first to discover their mother's body. Additionally, a 5 year old child whom Jacquelyn was baby sitting, was in the residence at the time of the killing. All four children were severely traumatized. Jacquelyn and Ortega had jointly owned the house for about a year. Salt Lake County Sheriff's records show no history of domestic violence calls regarding Jacquelyn and her killer.</p> <p><i>Sources: Deseret Morning News, June 18, 2005; Salt Lake Tribune, June 18, 2005.</i></p>	Herriman, Salt Lake County, Utah
June 16, 2005 #15	<p><b>Jairo Ortega, Age 46, Perpetrator Suicide</b></p> <p>See the preceding entry.</p>	Herriman, Salt Lake County, Utah

<p>July 26, 2005 #16</p>	<p><b>James C. Hawthorne, Age 78, Perpetrator Suicide</b></p> <p>At about 1:30 a.m. Hawthorne placed a 911 call, claiming to have shot his wife and threatening to kill himself. When police arrived at the couple's residence they found 77 year old Marilyn Hawthorne in the bathroom, having been shot three times in the head. Marilyn was still conscious. Hawthorne was found on the couple's bed, dead from a single gunshot to the head. According to Bountiful City Police, Hawthorne told the dispatcher he had killed his wife because she had Alzheimer's disease and he had to have hip surgery. He told the dispatcher he couldn't care for his wife anymore. Marilyn survived the attack.</p> <p><i>Sources: Deseret Morning News, July 27, 2005; Standard Examiner, July 28, 2005; Salt Lake Tribune, July 29, 2005.</i></p>	<p>Bountiful, Davis County, Utah</p>
<p>August 1, 2005 #17</p>	<p><b>Tyler Ratterman, Age 20, Perpetrator Suicide</b></p> <p>According to Bountiful City Police, Ratterman, a resident of Murray, shot himself while driving following an argument with an ex-girlfriend. Police were looking for Ratterman after a 19-year-old Bountiful woman came to the police department to report that he had broken the driver's side window of her van and threatened to kill her. The woman, who asked police not to release her name, successfully fought back and was able to drive away from the scene of the attack. She had sustained cuts on her legs from the broken glass. The couple had been arguing about their baby, police said.</p> <p><i>Source: Standard Examiner, August 3, 2005.</i></p>	<p>Bountiful, Davis County, Utah</p>
<p>August 17, 2005 #18</p>	<p><b>Kerry Douglas Robertson, Age 19, Cohabitant Suicide</b></p> <p>After refusing to surrender to police, Robertson, who was armed with a high-powered rifle, drove his car into another vehicle, injuring its driver, before plowing through a fence and crashing between two houses. He then turned the gun on himself. According to a witness, Robertson had apparently been involved earlier in a domestic dispute with his father, during which two shots were fired. Upon arrival at the scene, police found Robertson behind his father's house, seated in his automobile. He allegedly refused to obey commands from two Cedar City officers to get out of the car and instead drove across the street into the yard where he crashed the car. According to Cedar City Police, the shooting was the culmination of what appears to have been an ongoing dispute.</p> <p><i>Sources: Salt Lake Tribune, August 18, 2005; Iron County Attorney's Office</i></p>	<p>Cedar City, Iron County, Utah</p>
<p>August 23, 2005 #19</p>	<p><b>Klynt Joseph Barber, Age 27, Dating Violence Related Homicide</b></p> <p>Paul Kenneth Madill allegedly killed Klynt during a fight over a woman at a West Jordan apartment complex. According to West Jordan City Police, Madill - who reportedly is a platonic friend of Klynt's girlfriend - was at the woman's apartment at about 5:00 p.m. when Klynt showed up and began knocking on the door. Fearing a jealous reaction from Klynt, she did not respond to the knocks. After Madill appeared to have left, Klynt left the apartment to catch a ride home with his brother. Madill then confronted Klynt. An argument ensued, during which Klynt punched Madill. Madill then hit Klynt with a coffee mug and, after it broke, continued to hit and slash at Klynt with the jagged broken handle of the coffee mug until Klynt sustained several lacerations, including a fatal cut to the jugular vein. Madill has been charged with Murder, a first degree felony, by the Salt Lake District Attorney's Office. Trial in the Third Judicial District Court is scheduled for June 30, 2006.</p> <p><i>Sources: Salt Lake Tribune, August 24, 25 &amp; 30, 2005; Deseret Morning News, August 24, 2005.</i></p>	<p>West Jordan, Salt Lake County, Utah</p>

<p>August 28, 2005</p> <p>#20</p>	<p><b>Janeil Drommond, Age 29, Cohabitant Homicide</b></p> <p>Janeil had no warning on the Sunday when she was shot to death, but her ex-husband, David Drommond, had exhibited outbursts of anger, directed at her and others, almost since she had known him. He had told her months before her death that he intended to kill her. In an affidavit filed in support of her petition for a protective order, Janeil stated that before they were married, David "got very angry with his mom one day and he was pacing in the backyard hitting himself in the head." "He's gotten very angry several times, but he usually just gets in the car and leaves," Janeil wrote. She further affirmed that after their divorce Drommond became angry at her for calling a male friend on his company cell phone. She also stated that he went to her home in Woods Cross, argued with her, then threw her to the ground and choked her for 30 to 60 seconds. "He told me he had come here to kill me," Janeil wrote. "He said a lot of things, like: 'I've wanted you dead for a while now. We have a decision to make, either I'm going to kill you or you're going to kill me tonight.'" Janeil also wrote that David had tried several times to commit suicide and was upset she didn't love him anymore. A protective order was still in effect when she was killed. On the day of her death, Janeil drove to her ex-husband's residence at about 1:30 p.m. to drop off their two young children for a visit. When she approached the door, Drommond opened it, allowed the three year old boy and two year old girl to run past him, then opened fire with a 9mm handgun, hitting Janeil once in the head and once in the chest. She died almost instantly. Janeil's father, who had come to support her, was shot when he jumped out of the car to assist his daughter. Despite multiple wounds, he, together with Drommond's roommate and another witness, wrestled the gun away from the shooter. Police found a note, written by Drommond before Janeil arrived, which made it clear that the shooting was pre-planned. Janeil was to have re-married later in the week. Drommond was arrested at the scene and has been charged by the Davis County Attorney's Office with Aggravated Murder, a capital felony, Attempted Aggravated Murder, a first degree felony and Violation of a Protective Order, a class A misdemeanor. He has entered a plea of not guilty by reason of insanity. Trial is scheduled to begin on July 10, 2006 in the Second Judicial District Court.</p> <p><i>Sources: Standard Examiner, August 29, 31 and September 1, 2005; Salt Lake Tribune, August 29 &amp; 30 and October 26, 2005 and January 10, 2006; Deseret Morning News, August 29 and December 13, 2005; KSL.com, August 29, 2005.</i></p>	<p>Bountiful, Davis County, Utah</p>
-----------------------------------	--	--------------------------------------

<p>September 16, 2005 #21</p>	<p><b>Nicole L. Thomas, Age 23, Cohabitant Homicide</b></p> <p>The bodies of Nicole, together with those of her husband, Mark B. D’Agnillo, and their four month old son, Christian, were found in an apartment on this date. Based upon gunshot wounds to the bodies, together with other evidence, South Ogden Police believe D’Agnillo shot and killed Nichole then killed himself. The cause of death of the infant remains uncertain. All three of the bodies were badly decomposed. Based upon their investigation, police believe the deaths occurred approximately a week and a half to two weeks before they were called to the scene to investigate strong odors coming from the apartment. Police have determined that a 911 call was made from the apartment on September 2, 2005. D’Agnillo was the apparent caller. During the call he said that help was needed and, when pressed by the dispatcher, said medical help was needed. Despite further questioning by the dispatcher, the caller hung up without giving a specific reason why medical help was needed. A callback to the apartment went unanswered. When police responded to the apartment to follow-up on the 911 call, no one answered the door. They checked with neighbors, none of whom reported hearing yelling or screaming. No attempt was made by the responding officers to forcibly enter the locked apartment. Police records show no previous calls to the home for domestic violence or other complaints. A note found by police in the apartment shed little light on the deaths of the couple and their child. D’Agnillo’s ex-wife, who spoke on condition that her name not be used, characterized him as a controlling and sometimes violent man. "I was a hairdresser, and he wouldn't allow me to cut men's hair anymore," she said. "He wouldn't let me open the curtains because he was afraid the neighbors might see me." The ex-wife, who was married to D’Agnillo in New York State from 2002 to 2003, had a child by him. Following discovery of the bodies, one neighbor said the couple was “quiet and kept to themselves like most other people in the complex.” The apartment manager said, "They were very good people, no complaints. No problems." No one reported ever having heard the couple fighting nor did anyone report having heard gunshots.</p> <p>In the weeks after the bodies were discovered, the police investigation yielded evidence that raises further questions about the killings. "We're not finding things that probably should have been found there," said a police spokesman. The spokesman explained that the two shotgun slugs that passed through Nicole’s body were not found in the apartment. During their search of the residence police found one slug, the one that killed D’Agnillo, and five empty shotgun casings. Investigators also found evidence – emptied garbage cans – that someone had tried to clean up the apartment. Also during the investigation, two people came to police with information that Mark D’Agnillo was alive at least a week after he made the 911 call. One neighbor claimed to have talked to him on September 6<sup>th</sup> and another on September 9<sup>th</sup>. Both said nothing appeared to be wrong. The spokesman said, however, he is not drawing any conclusions.</p> <p><i>Sources: Standard Examiner, September 16, 17, 18, 19, 20 and 22, 2005; Salt Lake Tribune, September 17 and 18, 2005; Deseret Morning News, September 17, &amp; November 19, 2005; ABC4.com, November 19, 2005.</i></p>	<p>South Ogden, Weber County, Utah</p>
<p>September 16, 2005 #22</p>	<p><b>Christian D’Agnillo, Age 4 months, DV Related - Cause Unknown</b></p> <p>See the preceding entry. In its official report on this case, issued In mid-November, 2005, the Utah Medical Examiner’s Office determined that Christian died of unknown causes. Physical evidence found at the scene, however, suggests that the child, whose body was found on the floor next to that of his mother, was already either unresponsive or dead when laid there. When found, Christian’s body was wrapped in a towel and then covered and tucked lightly with a blanket. Experts – including the baby’s own pediatrician – say an active, healthy, 4 month old would have kicked or pushed off that blanket over time, but the blanket was found undisturbed and Christian’s arms were at his side.</p> <p><i>Sources: Same as the above entry; Deseret Morning News, November 19, 2005; ABC4.com, November 19, 2005.</i></p>	<p>South Ogden, Weber County, Utah</p>



September 16, 2005 #23	<b>Mark B. D'Agnillo, Age 35, Perpetrator Suicide</b> See the two immediately preceding entries.	South Ogden, Weber County, Utah
September 16, 2005 #24	<b>Jorge Corona, Age 39, Cohabitant Homicide</b> <p>Sergio Ramos-Trujillo just didn't like Jorge, police say. The animosity climaxed when Ramos-Trujillo shot Jorge three times in the neck, killing him. The victim and his killer were both employees of a large dairy farm located in rural southern Utah County, about 3½ miles north of the small town of Elberta. The two men resided together in a bunkhouse located on the farm. According to the Utah County Sheriff's Office, the two men had a disagreement brewing for about a week, which escalated into a physical altercation on the evening of September 15<sup>th</sup>. The killing allegedly took place at about 9:00 a.m. on the 16<sup>th</sup>. After the shooting, Ramos-Trujillo left the farm. Late on the evening of September 16<sup>th</sup> law enforcement officers found and arrested him at the residence of an acquaintance in Provo. He was charged by the Utah County Attorney's Office with Murder, a first degree felony; Obstruction of Justice, a second degree felony; and Unlawful Possession of a Firearm, a third degree felony. On May 11, 2006, following a three day trial, a Fourth Judicial District Court jury convicted Ramos-Trujillo of all three charges. On June 14, 2006, Ramos-Trujillo was sentenced by the Fourth Judicial District Court to serve a term of five years to life in the Utah State Prison on the Murder conviction. He was further sentenced to serve a consecutive term of zero to five years on the Possession of a Firearm by a Restricted Person conviction and a concurrent term of 1-15 years on the Obstruction of Justice conviction. Following his release from prison, Ramos-Trujillo will be deported from the country.</p> <p><i>Sources: Daily Herald, September 17 &amp; 18, 2005 and May 12, 2006; Deseret Morning News, September 17 &amp; 28, 2005 and May 9 &amp; 12 and June 15, 2006; Salt Lake Tribune, September 17 &amp; 18, 2005 and May 12, 2006.</i></p>	Utah County, Utah
October 4, 2005 #25	<b>Shawn "Little Whistle" Ridley, Age 31, Cohabitant Homicide</b> <p>Shawn was shot and killed by his 18 year old first cousin, Toby James Ridley. The two men were passengers in an automobile in the hills outside Whiterocks on the Uintah-Ouray Indian Reservation in rural Uintah County. They had reportedly been hunting deer and had hunting rifles with them. According to the two other passengers who were in the automobile at the time of the shooting, the two men began to argue over "stupid stuff." The argument escalated until the men were exchanging blows. According to the witnesses, Toby Ridley repeatedly insisted that the driver stop the car so the two men could fight. As the driver was slowing, Ridley grabbed a rifle and fired one round into Shawn's head, killing him. Shawn was a nationally accomplished archer and pow-wow singer. Because both the alleged shooter and the victim are enrolled members of the Ute Tribe and the killing took place on the Uintah-Ouray Indian Reservation, the FBI is the lead investigative agency. The United States Attorney's Office for Utah filed murder charges against Ridley. Ridley admitted shooting his cousin and plead guilty in the United States District Court for Utah to one count of Voluntary Manslaughter within Indian country. On March 6, 2006, Ridley was sentenced to serve 6½ years in federal prison. U.S. District Judge Tena Campbell recommended that he receive intensive treatment for alcohol abuse while imprisoned.</p> <p><i>Sources: Salt Lake Tribune, October 6 &amp; 7, 2005 and March 10, 2006; Uintah Basin Standard, October 11, 2005; Vernal Express, October 12, 2005; Deseret Morning News, January 2, 2006.</i></p>	Uintah County, Utah

October 7, 2005 #26	<p><b>Tyrone Tsosie, Age 23, Cohabitant Homicide</b></p> <p>Tyrone was allegedly shot to death by his brother, Travis Tsosie, after the two had gotten into a physical altercation at an apartment complex located at 4570 South 2850 West, according to West Valley City Police. Police say a party had been going on inside the apartment earlier in the evening. The victim's girlfriend, who lived in the apartment, told her boyfriend she didn't want to be around the drunken party and left. When she returned sometime between 11 p.m. and midnight, she found Tyrone dead on the floor and everyone else gone. A neighbor told police his children awakened him, reporting that they had heard two gun shots. Frank went out to investigate, found the victim, already dead, and called police. Police found the girl friend's three year old child asleep and unharmed in another room of the apartment. A police lieutenant said alcohol is believed to have been a factor and that "Things just got out of control." Tsosie has been charged with first degree felony Murder by the Salt Lake District Attorney's Office. Trial is pending in the Third Judicial District Court.</p> <p><i>Sources: Deseret Morning News, October 9, 2005; Salt Lake Tribune, October 9, 10 &amp; 14, 2005.</i></p>	West Valley City, Salt Lake County, Utah
October 15, 2005 #27	<p><b>Ernestine Stoutenburg, Age 83, Cohabitant Homicide</b></p> <p>Ernestine was allegedly shot and killed by her husband, Robert Stoutenburg, in what police say appears to have been the result of an ill couple agreeing to end their lives. Stoutenburg, 88, called police dispatch at about 1:48 p.m. and told dispatchers that he had just shot his wife and was planning to shoot himself. Dispatchers were able to keep Stoutenburg on the phone for about five minutes before he hung up. Police believe he took his own life about a minute before the first officer arrived at the couple's home. A note was found near the bodies. The writer of the note, who has not been determined, indicated that "there were some medical issues and they were just tired." A neighbor said the husband had suffered from leukemia for the past seven or eight years and that his wife was in equally poor health. That neighbor was quoted as saying, "The saddest thing about this is that the term homicide/murder is going to be used. I'm sure that he had his wife's consent. He would never kill his wife without her consent, of that I'm certain. They were very much in love."</p> <p><i>Sources: The Herald Journal, October 16, 2005; ABC4.com, October 16, 2005, Deseret Morning News, October 16, 2005, KSL.com, October 15, 2005; Salt Lake Tribune, October 16, 2005.</i></p>	Smithfield, Cache County, Utah
October 15, 2005 #28	<p><b>Robert Stoutenburg, Age 88, Perpetrator Suicide</b></p> <p>See the preceding entry.</p>	Smithfield, Cache County, Utah
October 28, 2005 #29	<p><b>Jeremiah Allred, Age 25, Domestic Violence Related Homicide</b></p> <p>Jeremiah was allegedly stabbed to death by Angel Ortiz, the 15 year old brother of his estranged wife. According to police, Jeremiah went to his wife's home at about 5:00 p.m. The two began arguing. When the wife's boy friend showed up a shoving match ensued. At that point Ortiz, allegedly began to beat Jeremiah with a shovel and eventually stabbed him. Jeremiah was able to leave the scene of the fight but his body was found about one block away. The Salt Lake District Attorney's Office has filed a charge of first degree felony Murder against Ortiz in the Third Judicial District Juvenile Court and that court has issued a warrant for his arrest. A \$500 reward for information leading to Ortiz's arrest has been posted. Following his arrest, the Third Judicial District Juvenile Court will determine whether Ortiz will be tried as an adult.</p> <p><i>Sources: Deseret Morning News, October 29 &amp; 31, 2005; Salt Lake Tribune, October 29 &amp; 30 and November 5 &amp; 10, 2005.</i></p>	West Valley City, Salt Lake County, Utah

<p>October 29, 2005 #30</p>	<p><b>James R. Castillo, Age 38, Domestic Violence Related Death</b></p> <p>James was shot and killed by officers of the West Jordan City Police Department after he confronted officers who were responding to a domestic dispute. According to a police spokesman, officers were called to a home around 1:15 a.m. and encountered the 38-year-old, who had reportedly been drinking and had fired gunshots inside the house. The wife involved in the dispute had left the house with her children before the officers arrived. The police spokesman said shots were fired when the man came out of the house, and he died at the scene. Police reportedly had been called to the home in the past. A neighbor reported that he heard a police officer yell at someone to put down his weapon. "Then we heard two shots; then six to eight shots returned," the neighbor said.. Following an investigation, the Salt Lake District Attorney's Office determined that the police officers were acting in self defense when they shot James.</p> <p><i>Sources: Salt Lake Tribune, October 30 &amp; November 1, 2005; Deseret Morning News, October 30 &amp; November 2, 2005; Salt Lake District Attorney's Office.</i></p>	<p>West Jordan, Salt Lake County, Utah</p>
<p>November 18, 2005 #31</p>	<p><b>John Holladay, Age 52, Cohabitant Homicide</b></p> <p>An argument between John Holladay (John) and his brother Don Holladay (Holladay) turned violent, resulting in an alleged murder-suicide. The deaths occurred in the home of the brothers' elderly parents, where Holladay lived in the basement. The parents were at home with their sons when an argument erupted between the two men. At some point during the argument, Holladay went to his apartment in the basement, returned with a .357 magnum caliber handgun and shot John two or three times. Following the shooting, the parents were able to get out of the house and to the safety of a neighbor's house, from which police were called. The parents did not know whether John was dead when they left. After a lengthy standoff, during which police attempted unsuccessfully to contact Holladay, entry into the house was forced. Police found John's body upstairs and found Holladay's body in the basement. Their investigation caused police to conclude that John died of the gunshot wounds inflicted by his brother and that Holladay used a gun to kill himself in the basement.</p> <p><i>Sources: Deseret Morning News, November 19, 2005; The Daily Herald, November 19, 2005; KSL.com, November 18, 2005.</i></p>	<p>Provo, Utah County, Utah</p>
<p>November 18, 2005 #32</p>	<p><b>Don Holladay, Age 50, Perpetrator Suicide</b></p> <p>See the preceding entry.</p>	<p>Provo, Utah County, Utah</p>

November 19, 2005 #33	<p><b>Gerald “Bobo” Fain Jr., Age 19, Cohabitant Homicide</b></p> <p>Gerald was stabbed to death by his 40 year old father, Gerald Fain Sr., concluded police following their investigation of the death. According to family members, Father and son had been arguing all day. Shortly after 9:00 p.m., the argument escalated into a physical altercation, said a police spokesman, and the father stabbed the son in the torso with a knife. The stabbing was witnessed by Gerald’s mother, Yvonne Garcia Fain, and her other two children, ages 11 and 12. According to the mother, the stabbing was the culmination of many years of violence. Police and rescue personnel arrived within several minutes of receiving a 911 call, but Gerald was already dead. Fain Sr. had fled the residence before police arrived but surrendered to police later that evening. Mrs. Fain said her husband beat her and threatened to kill her every day. He also verbally abused the children, she said. Three years ago, she got a protective order against her husband when she left him, but she eventually came back because the children missed their father. According to Mrs. Fain, Gerald always worried that something bad would happen to her. "He was worried about his dad killing me," she said. Fain, Sr. had a protective order against him at the time of the killing, the terms of which forbid him from going to the residence where the death occurred. The protective order had been granted pursuant to a petition by Mrs. Fain. A pretrial conference in a case in which Fain, Sr. was charged with a class A misdemeanor count of violation of that protective order had been scheduled for November 21<sup>st</sup>. Fain, Sr. had plead not guilty to the misdemeanor charge and was granted pretrial release in October. A charge of first degree felony Murder has been filed against Fain Sr. by the Salt Lake District Attorney’s Office. Trial is pending in the Third Judicial District Court.</p> <p><i>Sources: Salt Lake Tribune, November 20 &amp; 21, 2005; Deseret Morning News, November 21, 2005; ABC4.com, November 22, 2005; Salt Lake District Attorney’s Office.</i></p>	West Jordan, Salt Lake County, Utah
<p style="text-align: right;">COHABITANT HOMICIDES: 14</p> <p style="text-align: right;">PERPETRATOR SUICIDES: 9</p> <p style="text-align: right;">DATING RELATIONSHIP HOMICIDES: 3</p> <p style="text-align: right;">DOMESTIC VIOLENCE RELATED HOMICIDES: 3</p> <p style="text-align: right;">COHABITANT SUICIDES: 2</p> <p style="text-align: right;">DOMESTIC VIOLENCE RELATED DEATH: 1</p> <p style="text-align: right;">DOMESTIC VIOLENCE RELATED DEATH – CAUSE UNKNOWN: 1</p> <p style="text-align: right;"><b>TOTAL DOMESTIC VIOLENCE RELATED DEATHS IN UTAH DURING 2005: 33</b></p>		

1. Under Utah Chapter 77, Title 36, Section 2.1 Domestic Violence Means

- Any criminal offense involving
  - violence
  - physical harm
  - threat** of violence or physical harm

Any attempt, conspiracy, or solicitation to commit a criminal offense involving

-violence or physical harm

When committed by one **cohabitant** against another

Under Utah Chapter 77, Title 36, Section 1 Domestic Violence also means commission or attempt to commit any of the following offenses by one cohabitant against another

aggravated assault

assault

criminal homicide

harassment

telephone harassment

kidnapping, child kidnapping or aggravated kidnapping

mayhem (mutilation of a body part)

sexual offenses

-unlawful sexual intercourse

-rape

object rape

sodomy-forcible sodomy

forcible sexual abuse

aggravated sexual assault

sexual exploitation of a minor

stalking

unlawful detention

violation of a protective order

offenses against property (theft is not a domestic violence offense)

possession of a deadly weapon with intent to assault

discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building or vehicle

disorderly conduct if conviction result of plea negotiation from an original DV offense

child witnessing DV child abuse

any other criminal offense involving violence or physical harm

2. Under Utah Title 30, Chapter 6, Section 1: the Cohabitant Abuse Act, a cohabitant is defined as:

- (2) “Cohabitant” means an emancipated person pursuant to Section 15-2-1 or a person who

is 16 years of age or older who:

- (a) is or was a spouse of the other party;
- (b) is or was living as if a spouse of the other party;
- (c) is related by blood or marriage to the other party;
- (d) has one or more children in common with the other party;
- (e) is the biological parent of the other party's unborn child; or
- (f) resides or has resided in the same residence as the other party.

(3) Notwithstanding Subsection (2), "cohabitant" does not include:

- (a) The relationship of natural parent, adoptive parent, or step-parent to a minor; or
- (b) The relationship between natural, adoptive, step, or foster siblings who are under 18 years of age.